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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,108	11/18/2003	Mark A. Alcazar	MSI-1799US	6123

22801 7590 04/10/2007  
LEE & HAYES PLLC  
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SPOKANE, WA 99201

EXAMINER
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HOANG, PHUONG N

ART UNIT	PAPER NUMBER
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2194

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/10/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/10/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

# Office Action Summary

Application No.

10/716,108

Applicant(s)

ALCAZAR ET AL.

Examiner

Phuong N. Hoang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

**DETAILED ACTION**

1. Claims 1 – 26 are pending for examination.
2. This office action is in response to application filed 11/18/03.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1 – 26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
5. Claims 1 – 15 are directed to a computer programs claimed as computer software per se, i.e.
6. Claims 1 – 26 are directed to non-statutory subject matter because the claimed limitation do not produce tangible results.

***Claim Rejections - 35 USC § 112***

7. Claim 1 recites the limitation "the application". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1, 5, 11 – 13, 19 – 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Bharat, US patent no. 6,810,395.**

10. **As to claim 1**, Brarat teaches a software architecture for executing a software application, comprising:

a first set of application programming interfaces that support the execution of the application within the software architecture (web application, abstract and col. 1 – 2); and a second set of application programming interfaces that support navigation-related activities of the software application (browser, figures 6, 7a&b, 8a&b, and 10).

11. **As to claim 5**, Bharat teaches wherein the first set of application programming interfaces comprises a Windows collection in which is stored information that identifies one or more windows that are used in connection with the software application (figures 2b and associated text, and col. 9 lines 1 - 7).

12. **As to claims 11 - 13**, Bharat teaches wherein the second set of application programming interfaces comprises a set of events related to the occurrence of a navigation by the software application (events, col. 10).

13. **As to claim 19**, Bharat teaches a computer-readable medium having computer-executable components for supporting the execution of an application, the components comprising:

an application programming interface exposed by the software application (web application, abstract and col. 1 – 2), the application programming interface including:

a Properties collection in which is stored information about a state (cookies are persistent and save their state, figure 10 and associated text) of the software application during execution.

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Bharat teaches a StartUpURI property that specifies a resource to which the software application navigates upon being launched (This allows the query-specific display ... across web browser sessions, figure 10 and associated text).

14. **As to claims 20 - 21**, Bharat teaches wherein the resource comprises a markup based page (col. 5).

15. **As to claims 22 – 24**, see rejection for claims 11 – 13 above.

16. **Claims 16 - 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Natori, US patent no. 6,684,383.**

17. **As to claim 16**, Natori teaches a computer-readable medium having computer-executable components for supporting the execution of a software application, the components comprising:

an application programming interface exposed by the software application (col. 8 lines 5 – 20, col. 21 lines 62 – col. 22 lines 10), the application programming interface including:

an OnStartingUp (web system .... Starting and ending, col. 21 lines 62 – col. 22 lines 10).

method that includes executable instructions that are executed when the software application is being launched;

an OnShutDown method that includes executable instructions that are executed when the software application is being shut down (web system .... Starting and ending, col. 21 lines 62 – col. 22 lines 10); and a ShutDown method that, when called, is operative to cause the software application to shut down.

18. **As to claim 17**, Natori teaches window collection (screen, figure 14 and associated text).

### ***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**20. Claims 2 – 4, 6 – 10, 14 - 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Bharat, US patent no. 6,810,395 in view of Natori, US patent no. 6,684,383.**

**21. As to claim 2**, Bharat does not explicitly teach wherein the first set of application programming interfaces comprises an OnStartingUp..

Natori teaches the startup method (web system .... Starting and ending, col. 21 lines 62 – col. 22 lines 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Bharat and Natori's system because the starting is obvious when executing the application.

**22. As to claims 3 - 4**, Natori teaches wherein the first set of application programming interfaces comprises an OnShutDown (web system .... Starting and ending, col. 21 lines 62 – col. 22 lines 10) method that includes executable instructions that are executed when the software application is being shut down.

**23. As to claim 6**, Bharat modify by Natori teaches wherein the first set of application programming interfaces comprises a Resources property that specifies



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resources that apply to pages within an extent of the software application (Natori; figures 6 – 9).

24. **As to claim 7**, Natori teaches wherein the second set of application programming interfaces comprises a Properties collection in which is stored information about a state (persistent state, figure 10 and associated text) of the software application during execution.

25. **As to claim 8**, Bharat modify by Natori teaches wherein the second set of application programming interfaces comprises a StartUpURI property that specifies a resource to which the software application navigates upon being launched (Natori, col. 5 lines 10 – 45 and col. 9 lines 42 – 65).

26. **As to claims 9 - 10**, Bharat teaches wherein the resource comprises a markup based page (col. 5).

27. **As to claim 14**, Bharat and Natori do not explicitly teach the events comprise a NavigationError event indicative of the occurrence of an error during the navigation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made recognize that the error events would happen when users clicks on the non-available web pages.

28. **As to claim 15**, Bharat and Natori do not explicitly teach wherein the set of events comprises a NavigationProgress event that is raised periodically during the navigation to enable information about the navigation to be discerned.

It would have been obvious to one of ordinary skill in the art at the time the invention was made recognize that the NavigationProgress event would trigger when the query is running.

29. **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Natori, US patent no. 6,684,383 in view of Bharat, US patent no. 6,810,395.**

30. **As to claim 18**, Bharat teaches a Resources property that specifies resources that apply to pages (pages, col. 5) within an extent of the software application.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Natori and Bharat's system because the resource property would provide information for the application to browse the pages.

**31. Claims 25 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharat, US patent no. 6,810,395.**

**32. As to claim 25,** Bharat does not explicitly teach the events comprise a NavigationError event indicative of the occurrence of an error during the navigation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made recognize that the error events would happen when users clicks on the non-available web pages.

**33. As to claim 26,** Bharat does not explicitly teach wherein the set of events comprises a NavigationProgress event that is raised periodically during the navigation to enable information about the navigation to be discerned.

It would have been obvious to one of ordinary skill in the art at the time the invention was made recognize that the NavigationProgress event would trigger when the query is running.

### ***Conclusion***

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34. The prior art made of record but not relied upon request is considered to be pertinent to applicant's disclosure.

Netscape, "Persistent Client State HTTP Cookier", 1999, pages 1 – 5, describing the method of storing persistent state on client side.

Jain, US patent no. 6480,853, describing a method for storing bookmarks at clients and performing search for web pages.

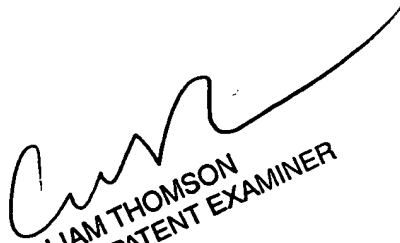
35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ph  
March 29, 2007

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER